

**In the matter of the Convention on the Service Abroad of Judicial and  
Extrajudicial Documents in Civil or Commercial Matters signed at the Hague  
on the 15<sup>th</sup> day of November 1965**

**THE HIGH COURT**

**IN THE MATTER OF ALBERTO LA ROCCA**

**AFFIDAVIT OF PERSONAL SERVICE**

I, Amy-Louise Carey of the Chief State Solicitor's Office, Osmond House, Little Ship Street, Dublin 8 aged eighteen years and upwards, make oath and say as follows:-

1. I am a Trainee Law Clerk in the Office of the Chief State Solicitor, Osmond House, Little Ship Street, Dublin 8 and I am duly authorised to make this Affidavit.
  
2. I am authorised to serve documents on behalf of the said Chief State Solicitor, Osmond House, Little Ship Street, Dublin 8.
  
3. I say that I did on the 27<sup>th</sup> day of May 2010 at 8:00 pm call at 1 Georges Quay Plaza, Georges Quay, Dublin 2 and serve true copy Judicial documents on Alberto La Rocca c/o Global Investments Ltd.

4. I make this Affidavit from facts within my own knowledge save where otherwise appears and where the same so appears I believe them to be true.

Amy-Laine Cooley  
**DEPONENT**

**DEPONENT**

SWORN the 23<sup>rd</sup> day of June 2010  
by the said Amy Louise Carey  
at 13 - 16 Dame Street,  
in the County of the City of Dublin  
before me a Commissioner for  
Oaths/Practising Solicitor for the High  
Court and I know the Deponent.

Donald J. O'Byrne  
**COMMISSIONER FOR OATHS/**  
**PRACTISING SOLICITOR**

Filed by David J. O'Hagan, Chief State Solicitor, Osmond House,  
Little Ship Street, Dublin 8.

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of Judicial and Extrajudicial Documents in  
Civil or Commercial Matters signed at the Hague on  
the 15<sup>th</sup> day of November 1965

**THE HIGH COURT**

**IN THE MATTER OF ALBERTO LA ROCCA**

**AFFIDAVIT OF PERSONAL SERVICE**

**DAVID J. O'HAGAN,  
CHIEF STATE SOLICITOR,  
OSMOND HOUSE,  
LITTLE SHIP STREET,  
DUBLIN 8.**

## REQUEST

## FOR SERVICE ABROAD OF JUDICIAL OR EXTRAJUDICIAL DOCUMENTS

## DEMANDE

AUX FINS DE SIGNIFICATION OU DE NOTIFICATION A L'ETRANGER  
D'UN ACTE JUDICIAIRE OU EXTRAJUDICIAIRE

Convention on the service abroad of judicial and extrajudicial documents in civil or commercial matters, signed at The Hague, November 15, 1965.

Convention relative à la signification et à la notification à l'étranger des actes judiciaires ou extrajudiciaires en matière civile ou commerciale, signée à La Haye, le 15 Novembre 1965.

Master of the High Court  
Received

26 APR 2010

Central Authority of Ireland

Address of receiving authority

Adresse de l'autorité destinataire

HAGUE CENTRAL AUTHORITY FOR IRELAND  
Master of the Supreme and High Court  
Four Court, Morgan Place  
Dublin 7  
REPUBLIC OF IRELAND

## Identity and address of the applicant

Identité et adresse du requérant

Karina Shreefer, Esq.  
LEGAL LANGUAGE SERVICES  
8014 State Line Road, Suite 110  
Leawood, Kansas 66208  
UNITED STATES OF AMERICA  
Tel. 1.913.341.3167

The undersigned applicant has the honour to transmit in duplicate the document listed below and, in conformity with article 5 of the above-mentioned Convention, requests prompt service of one copy thereof on the addressee, i.e.,  
(identity and address)

Le requérant soussigné a l'honneur de faire parvenir—en double exemplaire—à l'autorité destinataire les documents ci-dessous énumérés, en la priant conformément à l'article 5 de la Convention précitée, d'en faire remettre sans retard un exemplaire au destinataire, savoir:

(identité et adresse) Alberto LA ROCCA, an individual at his place of employment: Pioneer Global Investments Limited

1 George's Quay Plaza, George's Quay, Dublin 2

REPUBLIC OF IRELAND

(a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention.\*  
(a) selon les formes légales (article 5, alinéa premier, lettre a).

(b) in accordance with the following particular method (sub-paragraph (b) of the first paragraph of article 5)\*:  
(b) selon la forme particulière suivante (article 5, alinéa premier, lettre b): Personal (in-hand) service by a judicial officer in accordance with your internal law for service of documents upon persons or entities in your territory.

(c) by delivery to the addressee, if he accepts it voluntarily (second paragraph of article 5)\*:  
(c) le cas échéant, par remise simple (article 5, alinéa 2).

The authority is requested to return or to have returned to the applicant a copy of the documents—and of the annexes\*—with a certificate as provided on the reverse side.

Cette autorité est priée de renvoyer ou de faire renvoyer au requérant un exemplaire de l'acte—et de ses annexes—avec l'attestation figurant au verso.

THE PERSONS AND ENTITIES WITHIN THE UNITED STATES COMPETENT TO FORWARD SERVICE REQUESTS PURSUANT TO ARTICLE 3 INCLUDE ANY COURT OFFICIAL; ANY ATTORNEY; OR ANY OTHER PERSON OR ENTITY AUTHORIZED BY THE RULES OF THE COURT. (See U.S. declarations at Hague Conference website: [http://www.hcch.net/index\\_en.php?act=authorities.details&aid=279](http://www.hcch.net/index_en.php?act=authorities.details&aid=279))

## List of documents

Enumeration des pièces

Executed "Request," in duplicate

"Certificate" (unexecuted), in duplicate

"Summary," in duplicate

"Notice," in duplicate

Summons in a Civil Action, in duplicate

Consolidated Amended Complaint, in duplicate

Certification of Plaintiff Pursuant to Federal Securities Laws,

in duplicate

Done at Leawood, Kansas, U.S.A., the 5 April 2010

Fait à \_\_\_\_\_, le \_\_\_\_\_

Signature and/or stamp.

Signature et/ou cachet.

*Karina Shreefer*

<sup>1</sup> (Formerly OBD-116 which was formerly LAA-116,  
both of which may still be used)

USM-94

(Est. 11/22/77)

\*Delete if inappropriate  
Rayer les mentions inutiles.

**CERTIFICATE  
ATTESTATION**

The undersigned authority has the honour to certify, in conformity with article 6 of the Convention,  
L'autorité soussignée a l'honneur d'attester conformément à l'article 6 de ladite Convention,

1) that the document has been served \*

1. que la demande a été exécutée

- the (date)
- le (date)
- at (place, street, number)
- à (localité, rue numéro)

27 MAY 2010

1 Georges Quay Plaza, Georges Quay, Dublin 2

- in one of the following methods authorised by article 5-

-dans une des formes suivantes prévues à l'article 5:

- (a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention\*.  
a) selon les formes légales (article 5, alinéa premier, lettre a).
- (b) in accordance with the following particular method\*:  
b) selon la forme particulière suivante : personal Service
- (c) by delivery to the addressee, who accepted it voluntarily.\*  
c) par remise simple

The documents referred to in the request have been delivered to:

Les documents mentionnés dans la demande ont été remis à:

-(identity and description of person)

-(idenitité et qualité de la personne)

-relationship to the addressee (family, business, or other):

-liens de parenté, de subordination ou autres, avec le destinataire de l'acte:

2) that the document has not been served, by reason of the following facts\*:

2. que la demande n'a pas été exécutée, en raison des faits suivants:

In conformity with the second paragraph of article 12 of the Convention, the applicant is requested to pay or reimburse the expenses detailed in the attached statement\*.

Conformément à l'article 12, alinéa 2, de ladite Convention, le requérant est prié de payer ou de rembourser les frais dont le détail figure au-mémoire ci-joint.

Annexes

Annexes

Documents returned:

Pièces renvoyées:

Done at Dublin , the 12<sup>th</sup> July 2010  
Fait à Ireland , le

Signature and / or stamp.

Signature et / ou cachet.

Maire Murphy

Nuala McLoughlin  
Deputy Master of the High Court

In appropriate cases, documents establishing the service:

Le cas échéant, les documents justificatifs de l'exécution:

Affidant of Service  
of Amy-Louise Carey

**SUMMARY OF THE DOCUMENT TO BE SERVED**  
**ELEMENTS ESSENTIELS DE L'ACTE**

Convention on the service abroad of judicial and extrajudicial documents in civil or commercial  
 matters, signed at The Hague, November 15, 1965.

*Convention relative à la signification et à la notification à l'étranger des actes judiciaires et extrajudiciaires  
 en matière civile ou commerciale, signée à La Haye, le 15 Novembre 1965.*  
 (article 5, fourth paragraph)  
 (article 5, alinéa 4)

**Name and address of the requesting authority:** Karina Shreefer, Esq.

*Nom et adresse de l'autorité requérante :* LEGAL LANGUAGE SERVICES

8014 State Line Road, Suite 110, Leawood, Kansas 66208, U.S.A.

Tel. 1.913.341.3167

**Particulars of the parties\*:**

*Identité des parties :* IN RE HERALD, PRIMEO AND THEMA FUNDS SECURITIES LITIGATION

**JUDICIAL DOCUMENT\*\***  
**ACTE JUDICIAIRE**

**Nature and purpose of the document:**

*Nature et objet de l'acte :* To give notice to the Defendant of the commencement of a civil claim against him  
 and to summon him to answer or otherwise respond.

**Nature and purpose of the proceedings and, where appropriate, the amount in dispute:**

*Nature et objet de l'instance, le cas échéant, le montant du litige :* A civil action has been commenced against the Defendant.

**Date and place for entering appearance\*\*:**

*Date et lieu de la comparution :* Within twenty-one (21) days after service of the Summons (not counting day of receipt), Defendant must serve upon the Plaintiff's Attorney (Cohen Milstein Sellers & Toll PLLC) an Answer to the attached Complaint or a Motion under Rule 12 of the Federal Rules of Civil Procedure. Defendant also must serve his Answer or Motion with the court Clerk of the United States District Court, Southern District of New York located at: 500 Pearl Street, New York, New York 10007, U.S.A.

**Court which has given judgment\*\*:**

*Juridiction qui a rendu la décision :* N/A

**Date of judgment\*\*:**

*Date de la décision :* N/A

**Time limits stated in the document\*\*:**

*Indication des délais figurant dans l'acte :* Within twenty-one (21) days after service of the Summons (not counting day of receipt), Defendant must serve upon the Plaintiff's Attorney (Cohen Milstein Sellers & Toll PLLC) an Answer to the attached Complaint or a Motion under Rule 12 of the Federal Rules of Civil Procedure. Defendant also must serve his Answer or Motion with the Court. If Defendant fails to respond, judgment by default will be entered against him for the relief demanded in the Complaint.

**EXRAJUDICIAL DOCUMENT\*\***  
**ACTE EXRAJUDICIAIRE**

**Nature and purpose of the document:**

*Nature et objet de l'acte :* N/A

**Time limits stated in the document\*\*:**

*Indication des délais figurant dans l'acte :* N/A

\* If appropriate, identity and address of the person interested in the transmission of the document.

*S'il y a lieu, identité et adresse de la personne intéressée à la transmission de l'acte.*

\*U.S. Government Printing Office: 1990-262-211/15302

\*\* Delete if inappropriate.

*Rayer les mentions inutiles.*

Civil Action No.: 09 CIV 289 (RMB) (HBP)

**NOTICE**

*(recommended by the Fourteenth Session of  
Hague Conference of October, 1980)*

**identité et adresse du destinataire**  
*identity and address of the addressee*

Alberto LA ROCCA, *an individual at his place of  
employment: Pioneer Global Investments Limited*  
1 George's Quay Plaza  
George's Quay  
Dublin 2  
REPUBLIC OF IRELAND

**TRÈS IMPORTANT**

LE DOCUMENT CI-JOINT EST DE NATURE JURIDIQUE ET PEUT AFFECTER VOS DROITS ET OBLIGATIONS. LES "ÉLÉMENTS  
ESSENTIELS DE L'ACTE" VOUS DONNENT QUELQUES INFORMATIONS SUR SA NATURE ET SON OBJET. IL EST TOUTEFOIS  
INDISPENSABLE DE LIRE ATTENTIVEMENT LE TEXTE MÊME DU DOCUMENT, IL PEUT ÊTRE NÉCESSAIRE DE DEMANDER  
UN AVIS JURIDIQUE.

SI VOS RESSOURCES SONT INSUFFISANTES, RENSEIGNEZ-VOUS SUR LA POSSIBILITÉ D'OBTENIR L'ASSISTANCE JUDICIAIRE  
ET LA CONSULTATION JURIDIQUE SOIT DANS VOTRE PAYS SOIT DANS LE PAYS D'ORIGINE DU DOCUMENT.

LES DEMANDES DE RENSEIGNEMENTS SUR LES POSSIBILITÉS D'OBTENIR L'ASSISTANCE JUDICIAIRE OU LA  
CONSULTATION JURIDIQUE DANS LE PAYS D'ORIGINE DU DOCUMENT PEUVENT ÊTRE ADRESSÉES :

Legal Services for New York City  
350 Broadway  
New York, New York 10013  
U.S.A.  
Tel. 1.212.431.7200

**IMPORTANT**

THE ENCLOSED DOCUMENT IS OF A LEGAL NATURE AND MAY AFFECT YOUR RIGHTS AND OBLIGATIONS. THE  
"SUMMARY OF THE DOCUMENT TO BE SERVED" WILL GIVE YOU SOME INFORMATION ABOUT ITS NATURE AND PURPOSE.  
YOU SHOULD, HOWEVER, READ THE DOCUMENT ITSELF CAREFULLY. IT MAY BE NECESSARY TO SEEK LEGAL ADVICE.

IF YOUR FINANCIAL RESOURCES ARE INSUFFICIENT YOU SHOULD SEEK INFORMATION ON THE POSSIBILITY OF  
OBTAINING LEGAL AID OR ADVICE EITHER IN THE COUNTRY WHERE YOU LIVE OR IN THE COUNTRY WHERE THE  
DOCUMENT WAS ISSUED.

ENQUIRIES ABOUT THE AVAILABILITY OF LEGAL AID OR ADVICE IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED  
MAY BE DIRECTED TO:

Legal Services for New York City  
350 Broadway  
New York, New York 10013  
U.S.A.  
Tel. 1.212.431.7200